

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DAVID A. TERRY,)	CASE NO. 4:08CV3001
)	
Plaintiff,)	
)	
vs.)	JUDGMENT
)	
STATE OF NEBRASKA,)	
)	
Defendant.)	

)	CASE NO. 8:03CR324
UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	JUDGMENT
)	
DAVID A. TERRY,)	
)	
Defendant.)	

In accordance with the accompanying Memorandum and Order,

IT IS ORDERED:

1. The Complaint or petition for writ of error coram nobis (4:08CV3001, Filing No. 1), construed as a successive motion filed under 28 U.S.C. § 2255, is dismissed;
2. The Clerk is directed to:
 - a. file the Complaint (4:08CV3001, Filing No. 1) in 8:03CR324 as a motion to vacate, etc. brought under 28 U.S.C. § 2255;
 - b. file this Judgment in both cases captioned above;

3. The motion to vacate, etc. filed under 28 U.S.C. § 2255 (8:03CR324, Filing No. ____) is summarily denied;
4. The Clerk shall mail a copy of this Judgment to David A. Terry at his most recent address.

DATED this 16th day of April, 2008.

BY THE COURT:

S/Laurie Smith Camp
United States District Judge